Alexandria Daily Advertiser.

Vol. VII.] FRIDAY, JUNE 26, 1807. [No. 1946.

SALES AT VENDUE.

On every Tuesday and Friday,
WILL BE SOLD,
AT THE VENDUE STORE,
Corner of Prince and Water streets,
A variety of Dry Goods, Groceries, &c.
Particulars of which will be expressed in the bills of the day.

ALL kinds of goods which are on limitation and the prices of which are established, can at any time be viewed and purchased at the lowest limitation and prices.

P. G. Marsteller, V. M.

JUST RECEIVED,

And now landing from on board the brig Mary, Capt. Hall, from Boston, at Lawrason and Fowle's wharf, and for sale by

Lawrason and Fowle,

60 tons plaister Paris; 200 casks lime
50 boxes mould candles; 50 do. soap
6 casks spermaceti oil.

IN STORE,

130 boxes mould candles; 30 do. dip'd do.
40 do. soap; 60 do. chocolate
30 barrels N. E. rum
3 chests imperial, } *FRESH*
15 do. young Hyson } *TEAS.*
5 hhds. Mus. sugar; 15 barrels do. do.
40 do. Havanna white and brown sugar
160 boxes Nova-Scotia Herrings
40 do. cod-fish; 25 barrels fall mackarel
60 casks raisins
8 bales Ecerboon gurrahs,
AND
60 quarter casks Bellona gunpowder.

June 20. d

Spanish Hides.

1700 SPANISH HIDES, lately received, and for sale by

John Tucker.

Who has also on hand,

10 hhds. first quality St. Croix Sugar
8 puncheons Antigua Rum, 2 yrs. old
200 barrels choice Herrings
1200 bushels coarse Turk's-Island Salt

Coffee in bags—and Groceries as usual.

June 19. 2aw3w

JUST RECEIVED,

By Sloop MARIA ANTOINETTE, from St. Jago de CUBA, and for Sale, by the subscribers,

275 Spanish Hides
12 hogsheads Molasses
1764 lbs. Bees-Wax
39 boxes white and brown Sugars
7000 lbs. Coffee
150 boxes Segars
9 tons Fustic
6 do. Logwood

June 9. *Wadsworth & Butler.*

Freight Wanted,

For a new Schooner of 1000 barrels,
To any of the Windward Islands or Lisbon.

She will be at Alexandria in five days.—Apply to

W. Yeaton,
Ramsay's wharf.

May 9. d

Just received from Philadelphia,

By Captain Hand,

29 chests Young Hyson, and
9 boxes Hyson Shulan Tea, of a superior quality, which will be sold low.

Likewise on Hand,

6 hhds. good Sugar,
10 hhds. Molasses, of a good quality,
Salt of various kinds,
And a constant supply of Flour suitable for family use.

Joseph Dean.

March 27 d

District of Columbia.

NOTICE *is hereby given to all whom it may concern*, That the Consul General of Portugal to the United States of America, has authorized the subscriber, to legalize all papers that may be necessary for vessels bound from the ports of this district to any in Portugal or Madeira.

Those masters of vessels who may omit having their bills of health thus certified, will be liable to undergo quarantine.

It is requisite that any article shipped for account of a Portuguese subject, should be declared, and sworn to, as Portuguese property; and the bills of lading legalized as above.

Lewis Deblois.

May 16. d

Public Sale of Lands.

On Saturday the 27th day of June next, will be sold at the Coffee House, in the town of Alexandria, at 12 o'clock, of that day—By virtue of a decree of the honorable the United States Circuit Court, of the District of Columbia, for the County of Alexandria, on 6 and 12 months credit, the following tracts of land to wit:

One Tract or parcel of Land, lying in the county of Fairfax, adjoining the lands of the late Col. Charles Broadwater, containing about 300 acres.

One other Tract of Land, in the county of Montgomery, on the waters of Piney River and Paint Creek, branches of the Kenawha, granted by the commonwealth of Virginia to Nicholas Hannah, containing 960 acres.—*Also,*

One other Tract of Land, in the county of Hampshire, in the state of Virginia, formerly granted to Bryan Bruin, and by him sold to John Pankake, containing 482 acres.—The above mentioned lands were, by the last will and testament of Robert Alexander, deceased, devised to his son Robert, and are now sold to satisfy a debt due to George Chapman, junior.

Thomas Swann,
George Deneale,
Edmund I. Lee, } *Com'rs.*

May 26. d

JUST LANDING,

From Charleston,

20 tierces fresh RICE, and five bales of COTTON, which is said to be of the first quality—and are for sale by

Mordecai Miller.

June 10. d

Joseph Mandeville,

Corner of King and Fairfax-streets,
HAS RECEIVED
30 barrels WHISKEY
2000 lbs. cheese, of superior quality
10 bales cotton
10 boxes best Florence oil, in bottles
15 casks choice small twist tobacco
40 boxes mould and dipped candles
10 boxes fresh chocolate
140 reams wrapping paper
Imperial, Hyson, Young Hyson, and Hyson-skin } TEAS, Of this year's importation & very fine qualities—

Which, with a general assortment of wines, liquors and groceries, he will sell very low for cash, produce, or the usual credit.

June 15. d

JAMES SANDERSON

Offers for Sale, on moderate terms,
5000 lbs. best Green Coffee
10 tierces fresh Rice
20 kegs fresh Raisins
12 tierces green Copperas
3 pipes Cogniac Brandy
10 hhds. 4th proof Jamaica
20 barrels N. E. Rum
25 barrels Whiskey
10 bales Cotton
5 boxes Cotton and Wool Cards
12 boxes Tin Plates.
AND IN STORE,
11 hhds. south Potomac Tobacco.

May 26. d

I HAVE JUST RECEIVED

And offer for Sale,
A considerable quantity of
FRESH TEAS,
This spring's Philadelphia importation, and of *excellent* quality—consisting of
Hyson, in quarter chests.
Young Hyson do.
Hyson-Skin do.
Souchong boxes.

I have also for Sale,

10 pipes 4th proof Cogniac Brandy.
5 do. 4th proof Gin, (superior.)
25 crates queens and blue edged earthern ware, particularly assorted for country stores.
30 boxes and half boxes Prunes.
100 sacks stoved Salt.
2000 bushels do.
4000 do. ground Allum.

W. HODGSON.

June 10. d

TO RENT,

A STORE, on Prince-street, (adjoining my own) well suited for the wet goods business.

For Freight or Charter,

THE BRIG
INDUSTRY,
Joseph Sevier, master,
Burthen about 1100 barrels, three years old, and a fast sailer. Enquire of

N. WATTLES & Co.

50 tons of PLISTER for sale on board of said vessel. Enquire as above.

June 20. d

Lost, or Mislaid,

A NEGOTIABLE NOTE, of Messrs. JONATHAN and MAHLON SCOLFIELD, dated 6th June, and payable to *William N. Mills*; endorsed by *William N. Mills* and *William Newton*. The finder of said Note, will be rewarded by leaving it with the subscriber.

☞ Payment of said Note being *stopped*, it can be of no use but to the proper owner.

Samuel Craig.

June 24. 3t

I have a few Casks of
Particular Teneriffe Wine,
Of very superior quality, imported early in the year 1804:

Which will be sold, on moderate terms, to close a consignment.

Phineas Janney.

6 mo. 24. 7t

JOSEPH H. MANDEVILLE

Has just received and offers for sale,
500 barrels Herrings and Shad
50 do. New-England rum
5 hogsheads Jamaica do.
10 quarter casks Malaga wine
20 boxes imperial and hyson tea
30 barrels rye whiskey
20 bags green coffee
Also, just landed,
200 casks excellent lime.

June 25. d1w

A Miller Wanted.

☞ To a Man who understands the Milling Business, and can produce good recommendations for industry, sobriety, &c. liberal wages will be given by applying to

M. MILLER.

Who wants a small vessel for Charleston, burthen 4 or 500 bbls. to which immediate dispatch will be given. M. M.

June 20 d.

Servants to be Hired.

A young Negro Man, who has been a carriage driver and house servant.

Also, a Negro Girl, who has been accustomed to house service.

Enquire of the Printer.

June 19. cotf

142 hhds. of MOLASSES,
5 puncheons RUM,
100 bbls. Shad and Herrings,
Just Received and for Sale by
Marsteller & Young.

May 25. d

WANTED,

A MILLER who is master of his business, to take care of a *merchant mill*.—To such a one good wages will be given.—For the person who wants, please apply to Mr *Joseph Smith*, Alexandria.

March 17. d

A Brewery Establishment

FOR SALE.

WISHING to quit the brewing business. I offer for sale all my right and interest in that extensive *BREWHOUSE* which I now occupy. There is an established business, 1500 barrels having been sold in one season, 2000 might be made—all the working utensils complete, with malt house, kiln, mill, casks, and 300 bushels of malt.—Also a line of wharf extending along the Potomac 150 feet, very suitable for a lumber yard, or to receive flour by water—this may be treated for separately.

These premises are held by lease from the Corporation, who are to pay for all improvements of stone and brick, at the end of the lease, of which there are ten years unexpired from the 7th September next. One third of the purchase money will be required—for the remainder a liberal credit will be given on sufficient security. For further particulars apply to

Thomas Cruse.

May 27. 3taw1m

☞ If not sold at private sale by the first of August, it will on that day be sold by public auction, at ten o'clock, on the premises, to the highest bidder.

NOTICE.

THE MEMBERS of the WASHINGTON SOCIETY of Alexandria, will please to take notice, that a regular stated meeting of the said Society, will be held at Cadsby's hotel, on Saturday, the *fourth of July* next, at eleven o'clock, in the forenoon. The SOCIETY will move in procession precisely at 12 o'clock, to the Presbyterian Church, where an ORATION will be delivered by *JOHN H. THOMAS*, Esq. The military and citizens are invited to join the procession.

By order of the Standing Committee,
G. DENEALE, *Sec'y.*

June 24. d

N. B. The Members of the Society together with such as chuse to partake, will dine at Mr. Cadsby's. A subscription paper is lodged at the bar, and it is requested that those gentlemen who propose dining, will leave their names two days previous to the 4th, in order that the number to be provided for may be ascertained.

☞ PROPOSALS ARE ISSUED,
For publishing by Subscription,
THE LIFE OF
GEORGE WASHINGTON,
FIRST PRESIDENT OF THE UNITED STATES
By David Ramsay, M. D.
Author of the History of the American Revolution.

The work will be comprised in one octavo volume of about 400 pages, ornamented with an engraved head of Washington—Price to subscribers in boards $2 50—to non-subscribers $3 00—payable on delivery.

☞ Subscriptions received by ROBERT GRAY, King-street, Alexandria.

June 25. d3t-1aw1m

Forty Dollars *Reward.*

RAN AWAY from the subscriber, last evening, a Negro Girl, named *Grace*: She is about 19 years old, stout made; has a scar on the back of one of her hands.—*Ten Dollars* will be given if taken in town, and *Twenty* if without.

T. CRAVEN.

June 24. 6t

☞ The said girl had on and took with her one dimity petticoat, one white flannel ditto, and one India calico ditto—Also, one pink calico gown, one black cambric ditto, and one cross-barr'd ditto—together with one dark coating dress, handkerchiefs, &c.

FOR SALE,
BY LEWIS DEBLOIS,

An assortment of *BROAD CLOTHS*, from eleven to eighteen shillings sterling cost—part of them intitled to drawback.

Ravens Duck.
French Brandy.
Catalonia Wine, in half pipes and quarter casks.
New-England Rum, in barrels.
Cod-Fish, and Stone Lime.

May 7. d

JUST RECEIVED,

AND FOR SALE BY THE SUBSCRIBER,
120 boxes Mould & Dipt CANDLES
1000 pieces yellow NANKEENS
4 cases Irish LINENS
10 bales India COTTONS, assorted
4 barrels Glauber's SALTS
20 casks Malaga WINE
And a few boxes choice Bordeaux CLARET.

John G. Ladd.

June 11 d

20 Dollars Reward.

ELOPED from the subscriber living near Richmond court-house, Virginia, on the last of April, a lad by the name of *George*.—He is short, of a dark complexion, and about 18 years of age, had his right thigh broken by a fall from a horse at Hanover court house, when living with John Tayloe, Esq. Mount-Airy; it has occasioned a small lameness.—He took with him a variety of clothes, particularly a pair of buckskin pantaloons, almost new. The above reward will be given, for apprehending and confining him in any jail in this state. Should he be apprehended out of the state, an additional reward will be given by

Landon Carter.

Richmond County, (Va.) May 23. J. 1. } cotf

Printing, in its various branches, handsomely executed at this office.

From the RICHMOND ENQUIRER.

TRIAL
OF
COL. AARON BURR.

Circuit Court of the United States for the fifth Circuit and District of Virginia.

Present JOHN MARSHALL, chief Justice of the United States,

And CYRUS GRIFFIN, judge of the district of Virginia.

Saturday, June 13.

Chief Justice MARSHAL's Opinion on the motion to issue a Subpœna *duces tecum* directed to the president of the United States.

(CONTINUED)

Upon the immemorial usage then, and upon what is deemed a sound construction of the constitution and the law of the land the court is of opinion that any person charged with a crime in the courts of the United States has a right before as well as after indictment, to the process of the court to compel the attendance of his witnesses. Much delay and much inconvenience may be avoided by this construction, no mischief which is perceived can be produced by it. The process would only issue when, according to the ordinary course of proceeding the indictment would be tried at the term to which the subpœna is made returnable, so that it becomes incumbent on the accused to be ready for trial at that term.

This point being disposed of, it remains to enquire whether a *subpœna duces tecum* can be directed to the president of the U. S and whether it ought to be directed in this case.

This question originally consisted of two parts. It was at first doubted whether a subpœna could issue in any case to the chief magistrate of the nation; and if it could whether that subpœna could do more than direct his personal attendance; whether it could direct him to bring with him a paper which was to constitute the gist of his testimony.

While the argument was opening the attorney for the U. S. avowed his opinion that a general subpœna might issue to the president, but not a subpœna *duces tecum*. This terminated the argument on that part of the question. The court, however, has thought necessary to state briefly the foundation of its opinion that such a subpœna may issue.

In the provisions of the constitution and of the statute, which give to the accused a right to the compulsory process of the court, there is no exception whatever. The obligation therefore of these provisions is general; and it would seem that no person could claim an exemption from them, but one who would not be a witness. At any rate, if an exemption to the general principle exists, it must be looked for in the law of evidence. The exceptions furnished by the law of evidence (with one only reservation) so far as they are personal, are of those only whose testimony could not be received. The single reservation alluded to is the case of the king. Altho' he may perhaps give testimony, it is said to be incompatible with his dignity to appear under the process of the court. Of the many points of difference which exist between the first magistrate in England and the first magistrate of the U. S in respect of the personal dignity conferred on them by the constitution of their respective nations, the court will only select and mention two. It is a principle of the English constitution that the king can do no wrong, that no blame can be imputed to him, that he cannot be named in debate.

By the constitution of the United States the president as well as every other officer of the government may be impeached, and may be removed from office on conviction of high crimes and misdemeanors.

By the constitution of Great Britain, the crown is hereditary, and the monarch can never become a subject.

By that of the U. S. the president is elected from the mass of the people, and on the expiration of the time for which he is elected, returns to the mass of the people again.

How essentially this difference of circumstances must vary the policy of the laws of the two countries in reference to the personal dignity of the executive chief, will be perceived by every person. In this respect the first magistrate of the union may more properly be likened to the first magistrate of a state—at any rate under the former confederation—and it is not known ever to have been doubted that the chief magistrate of a state might be served with a subpœna testificandum.

If in any court of the U. S it has ever been decided that a subpœna cannot issue to the president, that decision is unknown to this court.

If upon any principle the president could be construed to stand exempt from the general provisions of the constitution, it would be because his duties as chief magistrate demand his whole time for national objects. But it is apparent that this demand is not unremitting, and if it should exist at the time when his attendance in a court is required, it would be shown on the return of the subpœna, and would rather constitute a reason for not obeying the process of the court, than a reason against its being issued. In point of fact it cannot be doubted that the people of England have the same interest in the service of the executive government, that is of the cabinet council, that the American people have in the service of the executive of the U. S. and that their duties are as arduous and as unremitting. Yet it has never been alledged that a subpœna might not be directed to them.

It cannot be denied that to issue a subpœna to a person filling the exalted station of the chief magistrate is a duty which would be dispensed with much more cheerfully than it would be performed, but if it be a duty the court can have no choice in the case.

If then, as is admitted by the counsel for the U. S a subpœna may issue to the president, the accused is entitled to it of course; and whatever difference may exist with respect to the power to compel the same obedience to the process as if it had been directed to a private citizen, there exists no difference with respect to the right to obtain it. The guard furnished to this high officer to protect him from being harrassed by vexatious and unnecessary subpœnas is to be looked for in the conduct of a court after those subpœnas have issued, not in any circumstance which is to precede their being issued.

If in being summoned to give his personal attendance to testify, the law does not discriminate between the president and a private citizen, what foundation is there for the opinion that this difference is created by the circumstance that his testimony depends on a paper in his possession, not on facts which have come to his knowledge otherwise than by writing? The court can perceive no foundation for such an opinion. The propriety of introducing any paper into a case as testimony must depend on the character of the paper, not on the character of the person who holds it. A subpœna *duces tecum* then may issue to any person to whom an ordinary subpœna may issue, directing him to bring any paper of which the party praying it has a right to avail himself as testimony, if indeed that be the necessary process for obtaining the view of such paper.

When this subject was suddenly introduced, the court felt some doubt concerning the propriety of directing a subpœna to the chief magistrate, and some doubt also concerning the propriety of directing any paper in his possession, not public in its nature, to be exhibited in court. The impression that the questions which might arise in consequence of such process were more proper for discussion on the return of the process than on its issuing, was then strong on the mind of the judges, but the circumspection with which they would take any step which could in any manner relate to that high personage, prevented their yielding readily to those impressions, and induced the request that those points if not admitted might be argued. The result of that argument is a confirmation of the impression originally entertained. The court can perceive no legal objection to issuing a subpœna *duces tecum* to any person whatever, provided the case be such as to justify the process.

This is said to be a motion to the discretion of the court. This is true. But a motion to its discretion, is a motion not to its inclination, but to its judgment, and its judgment is to be guided by sound legal principles.

A subpœna *duces tecum* varies from an ordinary subpœna only in this, that a witness is summoned to bring with him a paper in his custody. In some of our sister states, whose system of jurisprudence is erected on the same foundation with our own, this process we learn issues of course. In this state it issues not absolutely of course, but with leave of the court. No case however exists, as is believed, in which the motion has been founded on an affidavit, in which it has been denied, or in which it has been opposed. It has been truly observed that the opposite party can regularly take no more interest in the awarding a subpœna *duces tecum*, than in the awarding an ordinary subpœna. In either case he may object to any delay the grant of which may be implied in granting the subpœna, but he can no more object regularly to the legal means of obtaining testimony which exists in the papers, than testimony which exists in the mind of the person who may be summoned. If no inconvenience can be sustained by the opposite party he can only oppose the motion in the character of an *amicus curiæ* to prevent the court from making an improper order, or from burdening some officer by compelling an unnecessary attendance. This court would certainly be very unwilling to say that upon fair construction the constitutional and legal right to obtain its process to compel the attendance of witnesses does not extend to their bringing with them such papers as may be material in the defence. The literal distinction which exists between the cases is too much attenuated to be countenanced in the tribunals of a just and humane nation. If then the subpœna be used without enquiry into the manner of its application, it would seem to trench on the privileges which the constitution extends to the accused, it would seem to reduce his means of defence within narrower limits than is designed by the fundamental law of our country, if an overstrained rigor should be used with respect to his right to apply for papers deemed by himself to be material. In the one case the accused is made the absolute judge of the testimony to be summoned. If, in the other, he is not to judge absolutely for himself, his judgment ought to be controuled only so far as it is apparent that he means to exercise his privileges, not really in his own defence, but for purposes which the court ought to discountenance. The court would not lend its aid to motions obviously designed to manifest disrespect to the government, but the court has no right to refuse its aid to motions for papers to which the accused may be entitled, and which may be material in his defence.

These observations are made to shew the nature of the discretion which may be exercised. If it is apparent that the papers are irrelevant to the case, or that for state reasons they cannot be introduced into the defence, the subpœna *duces tecum* would be useless; but if this is not apparent; if they may be important in the defence; if they may be safely read at the trial, would it not be a blot in the page which records the judicial proceedings of this country if, in a case of such serious import as this, the accused should be denied the use of them?

The counsel for the U. S. take a very different view of this subject, and insist that a motion for process to obtain testimony should be supported by the same full and explicit proof of the nature and application of that testimony which would be required on a motion which would delay public justice, which would arrest the ordinary course of proceeding, or which would in any other manner affect the rights of the opposite party. In favor of this position has been urged the opinion of one whose loss, as a friend and as a judge I sincerely deplore, whose worth I feel, and whose authority I shall at all times greatly respect. If his opinion was really opposed to mine I should certainly revise, deliberately revise the judgment I had formed. But I perceive no such opposition.

In the trials of Smith & Ogden, the court in which judge Patterson presided, required a special affidavit in support of a motion made by the counsel for the accused for a continuance and for an attachment against witnesses who had been summoned, and had failed to attend.

Had this requisition of a special affidavit been made as well as a foundation for an attachment, as for a continuance, the cases would not have been parallel; because the attachment was considered by the counsel for the prosecution merely as a mean for punishing the contempt, and a court might certainly require a stronger testimony to induce them to punish a contempt than would be required to lend its aid to a party in order to procure evidence in a cause. But the proof furnished by the case is most conclusive that the special statements of the affidavit were required solely on account of the continuance.

Although the counsel for the U. S. considered the motion for an attachment merely as a mode of punishing for contempt the counsel for Smith & Ogden considered it as compulsory process to bring in a witness, and moved a continuance until they could have the benefit of this process. The continuance was to arrest the ordinary course of justice, and therefore, the court required a special affidavit shewing the materiality of the testimony before this continuance could be granted. PRIMA FACIE, the evidence could not apply to the case and this was an additional reason for a special affidazit. The object of this special statement was expressly said to be for a continuance.

"COLDEN proceeded. "The present application is to put off the cause on account of the absence of witnesses whose testimony the defendant alledges is material for his defence and who have disobeyed the ordinary process of the court. In compliance with the intimation from the bench yesterday, the defendant has disclosed, by the affidavit which I have just read, the points to which he expects the witnesses who have been summoned will testify.

"If the court cannot, or will not issue compulsory process to bring in the witnesses who are the objects of this application, then the cause will not be postponed.

"Or if it appears to the court that the matter disclosed by the affidavit might not be given in evidence if the witnesses were now here, then we cannot expect that our motion will be successful. For it would be absurd to suppose that the court will postpone the trial on account of the absence of witnesses whom they cannot compel to appear; and of whose voluntary attendance there is too much reason to despair; or on account of the absence of witnesses who, if they were before the court, could not be heard on the trial." (Page 12.)

This argument states unequivocally the purpose for which a special affidavit was required.

The counsel for the United States considered the subject in the same light. After exhibiting an affidavit for the purpose of shewing that the witnesses could not probably possess any material information, Mr. Sanford said "It was decided by the court yesterday that it was incumbent on the defendant, in order to entitle himself to a postponement of the trial, on account of the absence of these witnesses, to shew in what repect they are material for his defence. It was the opinion of the court that the general affidavit in common form would not be sufficient for this purpose; but that the particular facts expected from the witnesses must be disclosed, in order that the court might, upon those facts, judge of the propriety of granting the postponement.

(Page 27.)

The court frequently treated the subject so as to show the opinion that the special affidavit was required only on account of the continuance; but what is conclusive on this point is, that after deciding the testimony of the witnesses to be such as could not be offered to the jury, Judge Patterson was of opinion that a rule to shew cause why an attachment should not issue ought to be granted —— He could not have required the materiality of the witness to be shewn on a motion, the success of which did not, in his opinion, in any degree depend on that materiality; and which he granted after deciding the testimony to be such as the jury ought not to hear. It is then most apparent that the opinion of judge Patterson has been misunderstood, and that no inference can possibly be drawn from it opposed to the principle which has been laid down by the court. That principle will therefore be applied to the present motion.

The first paper required is the letter of gen. Wilkinson, which was referred to in the message of the president to congress. The application of that letter to the case, is shewn by the terms in which the communication was made. It is a statement of the conduct of the accused, made by the person who is declared to be the essential witness against him. The order for producing this letter is opposed:

1st. Because it is not material to the defence.

It is a principle universally acknowledged that a party has a right to oppose to the testimony of any witness against him, the declarations which that witness has made at other times on the same subject. If he possesses this right he must bring forward proof of those declarations. This proof must be obtained before he knows positively what the witness will say, for if he waits until the witness has been heard at the trial, it is too late to meet him with his former declarations. Those former declarations, therefore, constitute a mass of testimony which a party has a right to obtain by way of precaution, and the positive necessity of which can only be decided at the trial.

It was with some surprize an argument was heard from the bar insinuating that the award of a subpœna on this ground gave the countenance of the court to suspicions affecting the veracity of a witness who is to appear on the part of the U. S. This observation could not have been considered. In contests of this description the court takes no part; the court has no right to take a part. Every person may give in evidence testimony such as is stated in this case. What would be the feelings of the prosecutor if in this case the accused should produce a witness completely exculpating himself, and the attorney for the U S should be arrested in his attempt to prove what the same witness had said upon a former occasion by a declaration from the bench that such an attempt could not be permitted because it would imply a suspicion in the court that the witness had not spoken the truth? Respecting so unjustifiable an imposition but one opinion could be formed.

The 2d objection is, that the letter contains matter which ought not to be disclosed.

That there may be matter, the production of which the court would not require, is certain; but that in a capital case the accused ought in some form to have the benefit of it, if it was really essential to his defence, is a position which the court would very reluctantly deny. It ought not to be believed that the department which superintends prosecutions in criminal cases, would be inclined to withhold it. What ought to be done under such circumstances presents a delicate question, the discussion of which it is hoped will never be rendered necessary in this country. At present it need only be said that the question does not occur at

this time. There is certainly nothing before the court which shews that the letter in question contains any matter the disclosure of which would endanger the public safety. If it does contain such matter the fact may appear before the disclosure is made. If it does contain any matter which it would be imprudent to disclose, which it is not the wish of the executive to disclose, such matter, if be not immediately and essentially applicable to the point will of course be suppressed. It is not easy to conceive that so much of the letter as relates to the conduct of the accused, can be a subject of delicacy with the President. Every thing of this kind however will have its due consideration on the return of the subpœna.

3dly. It has been alledged that a copy may be received instead of the original, and the act of congress has been cited in support of this proposition.

This argument presupposes that the letter required is a document filed in the department of state, the reverse of which may be and most probably is the fact. Letters addressed to the president are most usually retained by himself. They do not belong to any of the departments. But were the fact otherwise a copy might not answer the purpose. The copy could not be superior to the original, and the original itself could not be admitted if denied without proof that it was in the hand writing of the witness. Suppose the case put at the bar of an indictment on this letter for a libel and on its production it should appear not to be in the hand writing of the person indicted, would its being deposited in the department of state, make it his writing or subject him to the consequences of having written it? Certainly not. For the purpose then of shewing the letter to have been written by a particular person the original must be produced and a copy could not be admitted.

On the confidential nature of this letter, much has been said at the bar, and authorities have been produced which appear to be conclusive. Had its contents been orally communicated, the person to whom the communications were made could not have excused himself from detailing them so far as they might be deemed essential in the defence. Their being in writing, gives no additional sanctity, the only difference produced by that circumstance is that the contents of the paper must be proved by the paper itself, not by the recollection of the witness.

Much has been said about the disrespect to the chief magistrate, which is implied by this motion and by such a decision of it as the law is believed to require.

These observations will be very truly answered by the declaration that this court feels many, perhaps peculiar motives for manifesting as guarded a respect for the chief magistrate of the union, as is compatible with its official duties. To go beyond these would exhibit a conduct which would daserve some other appellation than the term respect.

It is not for the court to anticipate the event of the present prosecution, should it terminate as is expected on the part of the U. S. all those who are concerned in it would certainly regret that a paper which the accused believed to be essential to his defence, which may for aught that appears be essential, had been withheld from him. I will not say that this circumstance would in any degree tarnish the reputation of the government, but I will say that it would justly tarnish the reputation of the court which had given its sanction to its being withheld. Might I be permitted to utter one sentiment, with respect to myself it would be to deplore most earnestly the occasion which should compel me to look back on any part of my official conduct with so much self-reproach as I should feel, could I declare on the information now possessed, that the accused, is not entitled to the letter in question, if it should be really important to him.

The propriety of requiring the answer to this letter is more questionable. It is alledged that it most probably communicates orders shewing the situation of this country with Spain, which will be important on the misdemeanor. If it contains matter not essential to the defence, and the disclosure is unpleasant to the executive, it certainly ought not to be disclosed. This is a point which will appear on the return.

The demand of the orders which have been issued and which have been, as is alledged, published in the Natchez Gazette, is by no means unusual. Such documents have often been produced in the courts of the U. S. and the courts of England. If they contain matter interesting to the nation, the concealment of which is required by the public safety, that matter will appear upon the return. If they do not, and are material, they may be exhibited.

It is said that they cannot be material, because they cannot justify any unlawful resistance which may have been employed or meditated by the accused.

Were this admitted and were it also admitted that such resistance would amount to treason, the orders might still be material, because they might tend to weaken the endeavor to connect such overt act with any overt act of which this court may take cognizance.

The court however is rather inclined to the opinion that the subpœna in such case ought to be directed to the head of department in whose custody the orders are, & the court must suppose that the letter of the secretary of the navy which has been stated by the attorney for the U. S. to refer the counsel for the prisoner to his legal remedy for the copies he desired, alluded to such a motion as is now made.

The affidavit on which this motion is grounded, has not been noticed. It is believed that such a subpœna, as is asked ought to issue, if there exists any reason for supposing that the tesmony may be material and ought to be admitted It is only because the subpœna is addressed to those who administer the government of this country, that such an affidavit was required as would furnish probable cause to believe that the testimony was desired for the real purposes of defence, and not for such as this court will for ever discountenance.

NEW YORK, *June* 20.

Arrived this morning, ship Swift, Price, 32 days from Liverpool; and brig Thetis, from New Orleans. The former is just come up and furnishes us with London papers of the 15th May. They contain no continental news later than you must by this time have received by way of Baltimore. It may, however, be important for you to communicate that the present British ministry are determined not to make any concessions to the United States, and that in the papers opposed to the ministry, this conduct is very severely reprehended."

NORFOLK, *June* 22.

Captain Daggett, arrived yesterday in the ship Julia, in 32 days from the Land's End, brings London papers to the 11th of last month. Captain D and a gentleman who came passenger have favored us with papers to the above date, in addition to the regular files received from our correspondent in London. These papers add but little to the information which we had before received by the Woodrop Sims.

The elections were going greatly in favor of the new ministry, but have been conducted with more violence than the view which our papers by the Woodrop Sims gave.

The grand armies in Poland remained inactive, excepting in drawing immense reinforcements. The British expedition of 40 000 troops were expected to embark immediately. On the 11th May, the government of England received advice that a French squadron of two sail of the line, three frigates and a corvette had got to sea from Rochefort, and were seen in lat. 47, long. 8 50.

One American vessel from the U. S. to England had been lately captured by the French, and another plundered, the cause assigned was that the bills of lading 'were not countersigned.' Premiums of insurance had got to three and a half guineas per cent.

—

By a gentleman who came passenger in the Julia, we are informed that Mr. Munroe would have come home in that ship, if he had not been prevented by advices of the reception which the treaty met with in this country.

—

It is asserted in a very respectable London paper of the 11th May, that there were *one hundred and sixty thousand* hogsheads of sugar on hand in that city, which could not be sold This was occasioned by the exclusion of English merchandize from the continent.

Alexandria Daily Advertiser.

FRIDAY, JUNE 26.

Yesterday arrived a pilot boat from Hampton Roads, on board of which came Captain GORDON and Doctor BULLUS, of the United States frigate CHESAPEAKE, which ship has returned to Hampton Roads in consequence of a wanton attack made on her by a British 74 gun ship, about three leagues from land, in which the Chesapeake received so much damage that it was deemed necessary to return. The circumstances as related to us are as follow;

While laying in the Eastern Branch four men were enlisted, which the British minister demanded as deserters from the Melampus frigate then in Hampton Roads: on examination it was supposed they were Americans and consequently were not delivered up.—When she arrived in Hampton Roads a similar demand was made, and a like refusal. The the ship got under way with an intention to proceed to her place of destination, the Mediterranean. She passed the frigate Melampus, and two seventy-four gun ships, one of which weighed and stood after her. On her reaching the limits of the United States, Captain Humphreys, of the 74 gun ship, sent a lieutenant on board, with a letter to Commodore Barron, demanding the four seamen. The Commodore returned for answer that he should permit no foreign officer to muster his men: but, that if the captain of the British ship would muster his men and suffer an American officer to come on board and take all Americans from his crew, he would muster the Chesapeake's crew and permit a British officer to come on board and select all the British subjects therefrom. On the return of the officer the 74 fired a broadside into the frigate and continued to do so till she struck, which was done after firing one gun, her guns being in no situation to do execution, from the circumstance of her apprehending no danger from any thing on our own coast. The Chesapeake had two men killed and twenty-three wounded, four of which it is believed mortally—the Commodore is among the wounded. The four men were then taken and the ship dismissed.

—

The ship Century, Capt. Dade. of this port, was at Falmouth, England, 15th May.

Philadelphia, June 15, 1807.

His Britannic majesty's consul-general for the middle and southern states of America, having observed great inaccuracy in the manner of preparing *quarantine manifests* for goods shipped from thence, for the ports of Great Britain, recommends to the merchants engaged in that trade a particular attention to the regulations heretofore published.

The quarantine manifests are to be proved *affirmatively* or *negatively*, as to the growth, produce or manufacture of the respective articles, before a *magistrate*, according to the forms prescribed and attested by his majesty's consul, or where there is no consul, by two known resident British merchants. These manifests are to be written in words at length, and in continuity, upon a separate paper, distinct from any documents from the customs, and totally unconnected with any invoice, bill of lading, certificate or notarial attestation whatsoever.

P. BOND.

—

Markets at Point Petre, May 12.—Fish 13 dollars; flour 17; produce low.

Markets at St Pierres.—Fish 9 dollars; flour 16 to 18; produce plenty; "*but duties cap all.*"

TRIAL OF COL. AARON BURR.

LATEST PROCEEDINGS.

Tuesday, June 23.

The court was opened about 11. Gen. Wilkinson and suite entered in a few minutes. The former took his seat between Mr. Hay and Mr. Wirt.

Col Burr then rose and observed that as general Wilkinson was now in court, he hoped the motion for an attachment would be gone into. He said that in the testimony which should be produced, it would be proved that although gen. Wilkinson, might not appear as the direct agent in the illegal means which had been used in bringing witnesses before this court: yet it would be shewn that those means had been used at the instigation of gen. Wilkinson.

Mr. *Hay* rose and said, he certainly would object to any other testimony being produced, except that which might be immediately against gen. W.

Mr. *E. Randolph* said that he was happy that the motion had been postponed, as general Wilkinson had now an opportunity of being in court, and of putting any questions he might think proper to the witnesses in his defence. He stated that he was at liberty if it turned out in the investigation that there were other individuals concerned in the charges of which gen W. was accused, likewise to advert to them. The charge on which his motion was founded was this, that general Wilkinson in conjunction with others had caused improper practices to be used upon some of the witnesses brought hither on the part of the prosecution. That the effect of this was directly and knowingly tending to obstruct the free course of testimony.

Mr. *M'Rae* here interrupted Mr. Randolph, by observing that the motion which he now submitted to the court, did not appear to him to be of the same description as the one which was brought forward yesterday:

Mr. *Randolph* replied that there was a small variation in the motion; but he presumed as there was no entry made of it, that he had a right to change it into that which was now offered. That it was the same in substance, flowing from the same facts.

Mr. *Randolph* then stated that he would prove the following facts relative to Knox:

That about the 10th or 12th of May he was summoned to attend the Federal Court at Richmond. That a subpœna was served upon him at New Orleans by lieut. Gaines for that purpose—That when the subpœna was served, he declared his willingness to be present at the court; and only expressed his desire to wait the receipt of a sum of money which he expected. Some time after this he was taken into custody by a sheriff and conducted before judge Hall at New Orleans. When he appeared before Mr Hall he was informed that he was brought before him in virtue of an affidavit made by geo. Wilkinson. That he declared to the judge his willingness to go to Richmond. That the judge ordered him to give bail to appear next day, which he accordingly did. That then, on account of refusing, was committed to jail. That while in jail, a Mr. Dunbaugh, acting under the authority of gen. Wilkinson, took him on board of a vessel of the U. S.—That this vessel, though not immediately under the command of gen. Wilkinson, was under his control, and all persons on board of her. That he was brought to Hampton in this manner under the control of gen. Wilkinson, and from Hampton was conducted to Richmond.

REMOVAL.

The office of the *Alexandria Daily Advertiser*, is removed to Royal Street, a few doors south of King Street.

For Sale,

A stout *NEGRO WOMAN*, about thirty-six years of age. She is a good cook, washer, and ironer.

Enquire of the Printer.

June 26. d

NOTICE.

ALL PERSONS are cautioned against trusting my wife MILLY FERNOU, as she has behaved in an unbecoming manner, and I am determined not to pay any debts of her contracting from this date.

Philip Fernou.

June 26. 3t

(BY PERMISSION.)

GRAND CONCERT,

At Mr. Gadsby's Assembly Room.

Messrs. WOODHAM, GILLINGHAM and ROBINS, assisted by Mrs. CLAUDE from the Charleston Theatre, offer their services to the citizens of Alexandria, in a Grand

MUSICAL ENTERTAINMENT,

—CONSISTING OF—

SONGS, GLEES, CONCERTOS, &c. &c

THIS EVENING, June 26.

PART 1st.

SINFONIA, HAYDN.

SONG, *(Down in a Valley)* Mr. Gillingham HOOK.

CONCERTANTE DUET, in which will be introduced *Pleyel's German Hymn*, with variations (Violin and Piano Forte)—Messrs. Gillingham and Woodham.

SONG *(Tally Ho)* Mrs. Claude HOOK.

PART 2d.

GLEE, *(Peace to the Souls of the Heroes)*—Messrs. Gillingham, Woodham & Robins.

SONG, *(Bay of Biscay O)* Mr. Robins DAVEY.

CONCERTO, *(Violin)* Mr. Gillingham.

SONG, *(Something so pleasing)* Mrs. Claude REEVE.

GLEE, *(Red Cross Knights)* Messrs. Woodham, Robins, Gillingham and Mrs. Claude CALCOTT.

PART 3d.

GLEE, *(O Lady Fair)* Messrs. Robins, Gillingham and Mrs. Claude.

SONATA *(Piano Forte)* Mr. Woodham DUSSEK.

SONG *(Tell her I love her)* Mr. Gillingham SHIELD.

SONG *(On the rock where hangs the willow)* Bravura, Mrs. Claude CHIANCHETINI.

FINALE *(Life's a Bumper)* M. P. KING.

*** *Tickets to be had at Mr. SNOWDEN'S printing office, and at the city hotel.*

☞ ADMITTANCE ONE DOLLAR.

↓↑↓ *Concert to commence at seven o'clock.*

Just Received,

From Philadelphia, Mr. Murray's fashionable

Kid and Morocco Slippers.

Charles Pascoe.

May 26. d3t-2aw1m

District of Columbia,

County of Alexandria, ss.

April adjourned session, 1807.

Benjamin Dean, *complainant*, vs. Eli Legg & John Hodgkin, *defendants*. } *In Chancery.*

THE defendant, Eli Legg, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant, Eli Legg, is not an inhabitant of this district, on motion of the complainant, by his counsel, it is ordered, that the said defendant, Eli Legg, do appear here on the first day of July term next, and enter his appearance to the suit, and give security for performing the decrees of the court; and that the other defendant, John Hodgkin, do not pay away, convey or secrete the debts by him owing to, or the estate or effects in his hands belonging to, the said absent defendant, Eli Legg, until the further order or decree of the court; and that a copy of this order be forthwith inserted in both of the public newspapers published in this county for two months successively, and that another copy be posted at the front door of the court house of said county.

A copy. Test.

G. Deneale, C. C.

May 8 law2m

District of Columbia,

County of Alexandria, ss.

April Adjourned Session, 1807.

John Potts, *complainant*, against Ward Cadogan, James Keith, jun. Mary Matthewson, administratrix of Kenneth Matthewson, deceased, and Dorothy Skinner, administratrix of Isaac Skinner, deceased, *defendants*. } *In Chancery.*

The defendant Dorothy Skinner, not having entered her appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant Dorothy Skinner, administratrix of Isaac Skinner, deceased, is not an inhabitant of this district—on motion of the said complainant, by his counsel, it is ordered, that the said defendant do appear here on the first day of July term next, to answer the bill of the complainant, and that a copy of this order be forthwith inserted in both of the public newspapers published in Alexandria, for two months successively, and that another copy be posted at the front door of the court-house of said county.

A copy.—Test.

G. Deneale, c. c.

May 8. law

District of Columbia, county of Alexandria, ff.

April adjourned Session, 1807.

April adjourned Session, 1807.

Thomas and Robert Wilson and Co. *Complainants*, against Joseph Comarque, executor of Bartholomew Dandridge, deceased, Bennett & Watts, William Newton, John Mills and James H. Hoge, Mary Dandridge, widow and relict of Bartholomew Dandridge, and William Dandridge, Clairborne Dandridge, John Langbon, Burwell Bassett, and Philadelphia Ann, his wife, John Dandridge, Lucy Dandridge, George Cocke, & Rebecca, his wife, Julius B. Dandridge, Wm. Dandridge and William Hollyburton, and Ann, his wife, Mary Dandridge, George Minge, and Frances his wife, *Def'ts* } *In Chancery.*

The defendants Mary Dandridge widow & relict of Bartholomew Dandridge, & William Danbridge, Clairborne Dandridge, John Langbon, Burwell Bassett, and Philadelphia Ann, his wife, John Danuridge, Lucy Dandridge, George Cocke and Rebecca his wife, Julius B. Dandridge, William Dandridge, and William Holyburton and Ann, his wife, Mary Dandridge, George Minge, and Frances, his wife, not having entered their appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendants, Mary Dandridge, widow and relict of Bartholomew Dandridge and Wm. Dandridge, Claiborne Dandridge, John Langbon, Burwell Bassett, and Philadelphia Ann, his wife, John Dandridge, Lucy Dandridge, George Cocke, and Rebecca, his wife, Julius B. Dandridge, William Dandridge, and William Holyburton, and Ann, his wife, Mary Dandridge, George Minge, and Frances, his wife, are not inhabitants of this district, on motion of the said complainants, by their counsel—

It is ordered, that the said defendants do appear here on the first day of July term next and answer the bill of the complainants, and that a copy of this order be forthwith inserted in both of the public newspapers published in Alexandria, for two months successively, and that another copy be posted at the front door of the court house of said county.

A copy.—Test. G. DENEALE, c. c.

☞ *A GIG.*

A SECOND-HAND *GIG*, with *Plated Harness*, for sale, low, for cash or merchandize.

J. and M. Scholfield.

June 23. 6t

District of Columbia,

County of Alexandria, ss.

April Adjourned Session, 1807.

William Wilson, *complainant*, vs. James Wilson of London, and Eliza Wilson and Robert I. Taylor, administratrix and administrator of James Wilson, deceased, *defendants*, } *In Chancery.*

THE Defendant, James Wilson, of London, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant, James Wilson, of London, is not an inhabitant of this district, on motion of the complainant, by his counsel, it is Ordered, that the said defendant, James Wilson, do appear here on the first day of November term next, and enter his appearance to the suit, and give security for performing the decrees of the court, and that the other defendants, Eliza Wilson and Robert I Taylor, administratrix and administrator of James Wilson, deceased, do not pay away, convey or secrete the debts by them owing to, or the estate or effects in their hands belonging to the said absent defendant, James Wilson, until the further order or decree of the court; and that a copy of this order be forthwith inserted in both of the public newspapers published in this county for two months successively, and that another copy be posted at the front door of the court-house of said county.

A Copy, Test,

G. Deneale, C. C.

May 8. law2m

District of Columbia,

County of Alexandria, ss.

April adjourned session, 1807.

Wm. Hopburn and John Dundass, *complainants*. vs. Eli Legg, Casper Stonemetz & Daniel C. Brent, marshal of the district of Columbia, *defendants*. } *In Chancery.*

THE defendant, Eli Legg, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant, Eli Legg, is not an inhabitant of this district, on motion of the complainant, by his counsel, it is ordered, that the said defendant, Eli Legg, do appear here on the first day of July term next, and enter his appearance to the suit, and give security for performing the decrees of the court; and that the other defendants, Caspar Stonemetz and Daniel C. Brent, marshal of the district of Columbia, do not pay away, convey or secrete the debts by them owing to, or the estate or effects in their hands belonging to, the said absent defendant, Eli Legg, until the further order or decree of the court; and that a copy of this order be forthwith inserted in both of the public newspapers published in this county for two months successively, and that another copy be posted at the front door of the court house of said county.

A copy. Test.

G. Deneale, C. C.

May 8 aw2m

District of Columbia,

County of Alexandria, ss.

April Adjourned Session, 1807.

William Wilson, *complainant*, vs. James Wilson, of London, and Eliza Wilson and Robert I. Taylor, administratrix and administrator of James Wilson, deceased, *defendants*, } *In Chancery.*

The Defendant, James Wilson, of London, not having entered his appearance and given security according to the act of assembly and the rules of this court, and it appearing to the satisfaction of the court, upon affidavit, that the said defendant, James Wilson, of London, is not an inhabitant of this district, on motion of the complainant, by his counsel, it is Ordered that the said defendant, James Wilson, do appear here on the first day of November term next and enter his appearance to the suit, and give security for performing the decrees of the court—and that the other defendants, Eliza Wilson and Robert I. Taylor, administratrix and administrator of James Wilson, deceased, do not pay away, convey or secrete the debts by them owing to, or the estate or effects in their hands belonging to the said absent defendant, James Wilson, until the further order or decree of the court; and that a copy of this order be forthwith inserted in both of the public newspapers published in this county for two months successively, and that another copy be posted at the front door of the court house of said county

A Copy, Test,

G. Deneale, C. C.

May 8. law2m

☞ *Marshal's* Sale.

BY virtue of a decree of the Hon. the Circuit Court of the district of Columbia, for the county of Alexandria, in the case of Andrew Reintzell, against Rudolph Martin, will be sold, at the Coffee-House, on the 20th day of July next, between the hours of 12 and 2 o'clock, to the highest bidder, for ready money—One HOUSE and LOT, on Duke-street, to the westward of Alfred-street; the Lot extending on Duke-street 21 feet in front, and in depth 88 feet to a 20 feet alley.

R. MOSS, *D. M.*

For D. C. Brent, *Marshal.*

June 24. dts

For Sale by the Subscribers,

Lisbon Carpeting for summer, of different qualities,

Bucellos and Carcavello Wines in quarter casks,

Window Glass of different sizes,

Mould Candles of a superior quality in small boxes,

Soft shelled Almonds in bags,

A quantity of patent Iron hollow ware.

R. T. Hooe & Co.

June 1. co

NOTICE.

THOSE who have Flour stored with me, are hereby requested to take said flour away or sell it, on or before the 24th day of July next; at which time I intend to leave Alexandria, and will not be accountable for any flour now in my possession after the time above stated. Also those who have claims against me, are requested to bring them forward for settlement; and those who are indebted to me, or the firm of Denney & Powell, will please to make payment by the first day of August next, as no further indulgence will be given.

☞ The Store and Warehouse I now occupy are for Sale or Rent, on liberal terms.

Edmund Denney.

June 24. col1t

Valuable Property for Sale.

PURSUANT to a decree of the Honorable the Circuit Court of the district of Columbia, in a suit depending in Alexandria county, in Chancery, wherein Colin Auld, administrator of Robert Milligan, deceased, is complainant, and William Wilson is defendant—will be exposed to Public Sale, on MONDAY, the 6th day of July next, at 10 o'clock, in the forenoon,

AT THE COFFEE-HOUSE,

A LOT, containing one acre; extending on Washington-street three hundred and fifty-three feet two inches, and on Oronoko-street one hundred and twenty-three feet five inches; on which there are erected a substantial, commodious and well-finished dwelling house and other suitable buildings, as lately occupied by Mr. Wilson. Subject to a ground rent of twenty pounds per annum.

A FARM, called "Mount-Hyrla," handsomely situated, containing about 250 acres, six miles from town, and adjoining the lands of James Patton and Thompson Mason.

Three-fourth parts of an undivided interest in the whole of the Lands heretofore attached to the Keep-Tryst furnace, being about 1400 acres, with the exception of the works and 221 acres sold to the government of the United States, lying in Berkely, now Jefferson county, near Harper's ferry.

And at the same hour, on the following day, upon the Premises,

Twenty-six Acres and forty-five Perches of Ground, lying within the limits of the corporation, bounded to the northward by the lands formerly belonging to Richard Conway, deceased; on the eastward by the lands of the heirs of Samuel Arell; on the southward by the lands of Lawrence Hoof and King-street continued; and on the westward by the lands of Charles Lee and Benjamin Dulany: eight acres of which are under a lease to Purkis and Workman, which expires on the first of April next, and are in a state of high cultivation as a garden.

Nine Acres of Ground, beginning on the north side of Queen-street, near the powder house; running thence with the north side of said street westwardly to the line of land belonging to the heirs of Samuel Arell; thence northwardly with that line into Oronoko street; thence eastwardly with said street to Mr. Fendall's line; thence southwardly with said line to the beginning.

The respective lands will be sold together, or divided into such lots as may be deemed most advantageous.

By agreement of the parties interested, a credit of one, two and three years will be given, upon bonds with sufficient security for the purchase money being granted, bearing interest from the day of sale, and the punctual payment thereof, by equal portions at these periods, further secured by deeds of trust on the respective properties purchased.

Charles Lee, Thomas Swan, } *Com'rs.*

June 8. cots

Public Sale.

By virtue of a deed of trust from *Philip Wanton* to the subscriber, for the purpose of securing the payment of certain sums therein mentioned, will be exposed to public sale, on the premises, at 11 o'clock, in the forenoon, on SATURDAY, the 27th day of June next, on a credit of six months—

Six LOTS handsomely situated, contiguous to the town of Alexandria; containing between 5 and 6 acres, each being a part of the tract lately known by the name of "*Stump-Hill*, and in the sub-division thereof, as laid off by Col. Gilpin—distinguished by the numbers 18, 19, 20, 23, 24, 25.

To accommodate purchasers, these Lots will be set up separately—and for the consideration money notes with approved indorsers, will be required.

JOHN M'IVER.

May 29. 3tawds

Public Sale.

ON MONDAY,

The 6th day of July next, at 4 o'clock, in the afternoon, will be sold, at public auction, on the premises, (if not previously disposed of by private sale, of which timely notice will be given)

That LOT on the west side of Fairfax-street, to the south of the Marshal's late office, and nearly opposite Mr. Thompson's, measuring 39 feet 1 3-4 inches on Fairfax-street, and backwards parallel with Cameron-street 123 feet 5 inches.

The dwelling house consists of five rooms, a kitchen, and good large cellar. A thorough repair of the house, building a new stable, and other improvements on this lot, cost upwards of $1000 in the year 1802.

AND IMMEDIATELY THEREAFTER,

At the Coffee-House,

That half acre lot in the town of Dumfries, near the tobacco warehouse & Quantico creek, designated in the plan of the said town by No. 146; on which are erected a substantial, well built brick house, 54 by 28 feet, a bale, or store house, 30 by 18 feet, stable, &c.

The purchaser to give bonds with security for the price, payable by equal portions in one, two and three years, without interest if punctually paid; and to secure the payments a deed of trust on the property purchased. A good title will be made by

Colin Auld.

May 20. [22] 3tawts

The U. States—*Libellants*, against The Schooner Hyland, her Rigging, Tackle, Apparel and Furniture—*Respondents*. } *On a Libel in Admiralty.*

IT IS ORDERED,

THAT a special court be held, on the 6th day of July next, for the trial of this cause, in this court, then to be held in the town of Alexandria, and that the Marshal do give public notice of the seizure and libel, by causing the substance of the libel, together with this order, citing forth the time and place of trial, to be published at the court-house door of this county, at the coffee-house door, in Alexandria, and in the public newspapers of the said town, at least fourteen days previous to the day of trial.

George Deneale, *C. C.*

May 15. eots

Pursuant to the above order of court, Robert Moss, D. M. for Daniel C. Brent, marshal of the district of Columbia, *hereby gives Notice*, That the seizure and libel in the case above stated, is for a breach of the revenue laws, in trading to a certain port in the island of St. Domingo, not under the acknowledged government of France. The trial will commence on the day, and at the place above mentioned; where all persons concerned are notified to attend.

R. MOSS, *D. M.*

May 15.

The Subscriber has just Received

And offers for sale,

Ninety hampers Bristol PORTER BOTTLES, containing one gross each

Seven bales COTTON, of a superior quality for retailing—and

A few tierces fresh RICE.

ON HAND,

Best Philadelphia PORTER AND PALE ALE, in hhds.

Do. BEER, in barrels.

AND AS USUAL,

First quality Philadelphia Porter and Pale Ale, in bottles, *put up for home, or export consumption.*

ALSO,

WHITE AND BROWN SOAP, old and dry, and in nice order for retailing, or family use.

Wm. DUNLAP.

June 10. eotf

PRINTED DAILY BY SAMUEL SNOWDEN.